THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.26452 of 2006

DATED 20.12.2006

Between:
K.Ranga Rao. … PETITIONER

versus

Vijayawada, Guntur, Tenali, Mangalagiri
Urban Development Authority,
represented by its Chairman,
Vijayawada. …
RESPONDENT

WRIT PETITION NO.26452 of 2006

ORDER:

The matter is coming up for admission today. Smt.K.Aruna, learned Standing Counsel takes notice on behalf of the respondent.

2. Heard Smt. M.S.Tirumala Rani, learned counsel representing the writ petitioner. The learned Standing Counsel states that the writ petitioner approached this Court only on an apprehension.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondent in seeking to evict the petitioner from his vacant site plot Nos. 19, 20 and 21 in Re-Survey No.93/2B, admeasuring 790 square yards of 660.54 square meters situated within the limits of Ambapuram Gram Panchayat, Vijayawada Rural Mandal, Krishna District, without issuing any notice or

opportunity of being heard as illegal, arbitrary and violative of principles of natural justice and also Articles 14 and 300-A of the Constitution of India and further direct the respondent not to dispossess the petitioner from his vacant site mentioned above and pass such other suitable orders.

4. Several factual details are narrated in the affidavit filed in support of the Writ Petition. In the light of the facts and circumstances well explained, it is needless to say that if the respondent intends to further proceed with in relation to the subject matter of the Writ Petition, due process of law should be followed.

5. Accordingly the Writ Petition is disposed of with a direction to the respondent not to evict the petitioner from the subject matter of the Writ Petition unless and until due process of law is followed. No costs.

20.12.2006

SSR